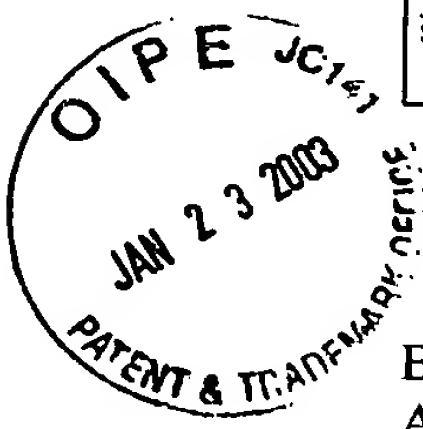


1761

I hereby certify that this correspondence was deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on January 17, 2003.

Theodore P. Cummings 40,973  
Name of Attorney/Agent Registration No.  
Signature of Attorney



IN THE UNITED STATES PATENT & TRADEMARK OFFICE  
RESPONSE/AMENDMENT

Case Docket No. 8159M

Box Non-Fee Amendment  
ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Dear Sir:

Transmitted herewith is an AMENDMENT for the patent application:

Inventor(s): McCutchan, et al. Confirmation No. 3927

Serial No.: 09/905,540 Group Art Unit: 1761

Date Filed: July 13, 2001 Examiner: D.E. Becker

Title: A KIT CONTAINING A SNACK FOOD AND DIP-CONDIMENT

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1. ☒ No additional fee is known to be required.
2. ☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA*	RATE	FEE
TOTAL	*	MINUS	**	=	x \$18 =	\$
INDEP.	*	MINUS	***	=	x \$84 =	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$280 =	\$
					TOTAL	\$

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
\*\* If the highest number of total claims previously paid for is less than 20, write "20" in this space.  
\*\*\* If the highest number of independent claims previously paid for is less than 3, write "3" in this space.  
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

3. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
  - a. ☒ Any patent application processing fees under 37 CFR §1.16.
  - b. ☒ Any patent application processing fees under 37 CFR §1.17.

4. The Commissioner is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.

Theodore P. Cummings  
Attorney or Agent for Applicant(s)  
Registration No. 40,973  
Tel. No. (513) 634-1906

Date: January 17, 2003  
Customer No. 27752

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Theodore P. Cummings, Esq. 40,973  
Name of Attorney Registration No.

Signature of Attorney



P&G Case No. 8169M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :  
MICHAEL DEAN MCCUTCHAN, ET AL. :  
Serial No. 09/905,540 : Group Art Unit: 1761  
Filed: July 13, 2001 : Examiner: D. E. Becker  
For A KIT CONTAINING A SNACK FOOD AND DIP-CONDIMENT

RESPONSE TO THE OFFICE ACTION DATED DECEMBER 5, 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Dear Sir:

This response answers the office action dated December 5, 2002.

IN THE SPECIFICATION

At page 1, line 6, please remove the following: "Case 8169P,".

IN THE CLAIMS

Please cancel Claims 7-16 without prejudice.

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- A*
1. (Amended) A kit for containing both a plurality of snack pieces and a dip-condiment, said kit comprising:  
a canister;  
a plurality of snack pieces contained within said canister, wherein [at least one of said plurality of] the snack pieces [having] have an average projected area [greater than] of at least about 1300 mm<sup>2</sup>;  
a tub attached to said canister; and  
a dip condiment held within said tub;  
wherein said kit has a space efficiency greater than about 0.1 g/cm<sup>3</sup>.

- AA*
17. (Amended) A kit for containing both a plurality of snack pieces and a dip-condiment, said kit comprising:  
a canister having a bottom wall and at least one side wall attached to said bottom wall, an opening defined by said at least one side wall and disposed at an end opposite said bottom wall;  
a plurality of snack pieces contained within said canister, the snack pieces having an average projected area of at least about 1300 mm<sup>2</sup>;